

Exhibit “B”

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

* * *

WAYNE VAN SCOY, :
Plaintiff and :
Counterclaim :
Defendant :

vs :

VAN SCOY DIAMOND MINE :
OF DELAWARE, INC., KURT :
VAN SCOY and DONNA :
VAN SCOY, :
Defendants and :
Counterclaim :
Defendants : NO. 05-108

COPY

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Oral deposition of JACQUELINE SAVOCA, taken at
the law offices of Burke & Burke, 1460 Wyoming
Avenue, Forty Fort, Pennsylvania 18704, on Friday,
September 30, 2005, beginning at 2:00 p.m. before
Pamela Pratt, Court Reporter and Notary Public in
and for the Commonwealth of Pennsylvania.

* * *

ACCUSCRIPT, INC.
COURT REPORTERS
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JACQUELINE SAVOCA

1 A. The name. You know, using Van Scoy
2 Diamond Mine.

3 Q. When did those conversations start?

4 A. Probably right after Wayne reopened.
5 When Wayne reopened the store.

6 Q. What year was that?

7 A. '90 -- well, no, not then. It would be
8 probably after the whole bankruptcy thing was
9 settled out, in, like, 2000, in and around there.

10 Q. What conversations did you have with
11 Wayne about use of the name?

12 A. I really didn't have a whole lot. I
13 would hear Wayne talking to Kurt about using the
14 name.

15 Q. And what did you hear Wayne say to
16 Kurt?

17 A. That he's using the name down there and
18 not paying for it -- didn't have to pay for it.

19 Q. Did Wayne ask Kurt to stop using the
20 name?

21 A. I don't know.

22 Q. Did Wayne ask Kurt for money for using
23 the name?

24 A. I'm not sure.

25 Q. Did Wayne visit Kurt at the Delaware

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B1

JACQUELINE SAVOCA

1 A. He said, you do what you have to do.

2 Q. How many conversations did Wayne and
3 Kurt have about the use of the name before the
4 lawsuit was filed?

5 A. Many. I would say -- I don't know how
6 many, but many.

7 Q. More than ten?

8 A. Probably, yeah.

9 Q. Over what period of time?

10 A. Years.

11 Q. By "years," more than two?

12 A. Yes.

13 Q. And where would those conversations
14 take place?

15 A. Usually on the phone.

16 Q. Okay. How often were they?

17 A. I couldn't be certain. I mean...

18 Q. More than once a month?

19 A. No, I don't think so.

20 Q. Okay. Who would initiate the call or
21 the conversation?

22 A. I have no idea.

23 Q. Did Wayne place calls to Kurt to have
24 this discussion with him?

25 A. I don't know.

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B2

JACQUELINE SAVOCA

1 Q. Okay. Prior to the lawsuit being
2 filed, what was Kurt's response to Wayne's
3 statement -- well, let me step back.

4 What exactly did Wayne say to Kurt
5 about the use of the name?

6 A. Just you're using the name down there
7 and not paying for it.

8 Q. "Using the name down there" -- I don't
9 want to put words in your mouth.

10 A. Meaning Delaware.

11 Q. What do you mean by --

12 A. Using the name in Newark, Delaware at
13 the store and not paying for it.

14 Q. And what did he ask Kurt to do about
15 it?

16 A. That I'm not sure. Probably, you know,
17 pay for it.

18 Q. Did you ever hear him ask Kurt to pay
19 for it?

20 A. No. I mean, you know, in passing.

21 Q. Did you ever hear him ask Kurt to stop
22 using the name?

23 A. Probably, but I couldn't say exactly
24 when. I don't -- you know.

25 Q. You don't have a recollection one way